

RULES/AGENCY RULES COMMITTEE

Meeting Report
May 26, 2004

PRESENT: Chair Pro Tempore Cortese; Members Chavez, Williams and Yeager
Council Member Nora Campos attended the meeting as the alternate member.

ABSENT: Chair Dando (excused)

STAFF: City Attorney Richard Doyle, Assistant City Manager Mark Linder, City Clerk Lee Price, Council Agenda Manager for the Mayor's Office Jennifer Carlino, City Manager Senior Executive Analyst for the City Manager's Office Nadine Nader, and Redevelopment Agency Liaison Gary Miskimon

Chair Pro Tempore Cortese called the meeting to order at 2:05 p.m.

A. Redevelopment Agency

1. Review June 8, 2004 Draft Agenda

The Committee recommended approval of the June 8, 2004 Redevelopment Agency agenda.

2. Add New Items to June 1, 2004 Agenda

There is no Redevelopment Agency meeting scheduled for June 1, 2004.

- **Redevelopment Board Requests**
- **Executive Director Requests**
- **RDA Counsel Requests**

3. Staff Reports Outstanding

There is no Redevelopment Agency meeting scheduled for June 1, 2004.

B. City Council

1. Review June 8, 2004 Draft Agenda

The Committee recommended approval of the June 8, 2004 City Council agenda.

a. Additions/Changes

There were none.

2. Add New Items to June 1, 2004 Agenda

The Committee recommended the following additions to the June 1, 2004 City Council agenda:

- **Mayor and Councilmember Requests**

- a. During the evening session, present a commendation to the VEP Community Association recognizing their 35 years of service to the community (Dando)
- b. Present a commendation to Kristen Smyth, head women's gymnastic coach at Stanford, who was named PAC 10 Coach of the Year, and the National Association of Collegiate Gymnastics Coaches Coach of the Year (Chirco, LeZotte)
- c. Present a commendation to St. Nicholas Greek Orthodox Church on the occasion of the 33rd annual San Jose Greek Festival from June 4-6, 2004 (Ken Yeager)

- **City Manager Requests**

- a. Approve actions related to the proposed State-Local Government agreement

- **City Attorney Requests**

There were none.

- **City Clerk Requests**

- a. Approve City Council and Joint Council/Redevelopment Agency minutes of April 27, 2004
- b. Accept the Office of the City Auditor's monthly *Report of Activities and Findings through May 15, 2004*

3. Staff Reports Outstanding

Documents Filed: Report from the City Manager's Office dated May 25, 2004 listing four staff reports outstanding for the June 1, 2004 Council agenda.

Discussion/Action: The Committee noted and filed the City Manager's report.

C. Legislative Update

1. State

Documents Filed: None.

Discussion/Action: Roxanne Miller, City of San Jose Lobbyist to the State Legislature in Sacramento, presented an overview of two proposed State constitutional amendments which deal with mandating future protection of local revenue. The Committee thanked Ms. Miller for her informative presentation.

2. Federal

There was no report.

D. Meeting Schedules

There were none.

E. The Public Record

Documents Filed: Memoranda from City Lee Price dated May 13, 2004 and May 20, 2004 transmitting items filed for the Public Record for the period May 5-18, 2004.

Discussion/Action: The Committee noted and filed the Public Record.

F. Appointments to Boards, Commissions and Committees

Documents Filed: Fourteen memoranda from City Clerk Lee Price dated May 7, 2004 forwarding results of interviews conducted by the Project Diversity Screening Committee to fill board and commission vacancies; twelve memoranda from the City Attorney's Office dated March and April 2004 reviewing commission applicants for conflict of interest; memorandum from Council Member Nora Campos dated May 18, 2004 recommending appointments to the Advisory Commission on Rents; two memoranda from Council Member Chuck Reed dated May 25, 2004 recommending appointments to the Airport Commission, and the Small Business Development Commission; memorandum from Council Member Forrest Williams dated May 24, 2004 recommending appointments to the Arts Commission; four memoranda from Council Member Yeager dated May 26, 2004 recommending appointments to the CDBG Steering Committee, the Library Commission, the Parks and Recreation Commission, and the Traffic Appeals Commission; three memoranda from Council Member Linda LeZotte dated May 24, 2004 recommending appointments to the Disability Advisory Commission, Historic Landmarks Commission, and Senior Citizens Commission; memorandum from Council Member Terry Gregory dated May 25, 2004 requesting the City Clerk readvertise the vacant position on the Mobile Home Advisory Commission; and a memorandum from Council Member Judy Chirco dated May 24, 2004 recommending appointments to the Early Care and Education Commission.

Discussion/Action: The Committee directed the City Clerk to conduct a blind drawing for those commissions with more than one vacancy and varying term ending dates, with the results of the draw noted in the Rules Committee report. The Committee recommended the following appointments:

1. Advisory Commission on Rents

The Committee recommended appointment of Sandra Adams as the landlord representative and Pamela Dougherty as the neutral representative for unexpired terms ending December 31, 2006. The Committee directed the City Clerk to readvertise the tenant position in August 2004.

2. Airport Commission

The Committee recommended appointment of Sukhdev Bainiwal, Duc Ngo, and Steve Tedesco (Incumbent) to terms ending June 30, 2007.

3. Arts Commission

The Committee recommended appointment of Francis Czyz (Incumbent), Lisa Gonzales, and Stephen McCray (Incumbent) to terms ending June 30, 2007. The Committee deferred one appointment to next week's Rules Committee meeting.

4. CDBG Steering Committee

The Committee recommended appointment of Preston Powell as the District 3 representative to a term ending June 30, 2007. The Committee directed the City Clerk to readvertise for the District 5, District 7, and City-wide positions in August 2004.

5. Disability Advisory Commission

The Committee recommended appointment of Teresa Applegate, Aaron Morrow (Incumbent), Karl Vidt (Incumbent), and Murrie Zlotziver (Incumbent) to terms ending June 30, 2007.

6. Early Care and Education Commission

The Committee recommended appointment of Nick Fay, Timothy Kirby, Richard McKinney, Dagmar Poffenroth and Elizabeth Venkat to terms ending June 30, 2007; and Bertha Martin to an unexpired term ending June 30, 2005. The Committee directed the City Clerk to readvertise the vacant position in August 2004.

7. Historic Landmarks Commission

The Committee recommended appointment of Martin Alkire and Patricia Colombe to terms ending June 30, 2007.

8. Library Commission

The Committee recommended appointment of David Cohen (Incumbent), Pia Moriarty (Incumbent), and Vincent Tarpey to terms ending June 30, 2007. The Committee deferred one appointment to next week's Rules Committee meeting.

9. Mobile Home Advisory Commission

The Committee directed the City Clerk to readvertise for the neutral position in August 2004.

10. Parks and Recreation Commission

The Committee recommended appointment of Helen Chapman (Incumbent), Jose Silva, and Mark Swineford (Incumbent) to terms ending June 30, 2007.

11. Senior Citizens Commission

The Committee recommended appointment of Surendra Amin (Incumbent), Don Blankenship, Lorene Prudhomme, and John Tinsley (Incumbent) to terms ending June 30, 2007; and Ronald Layman to an unexpired term ending June 30, 2006.

12. Small Business Development Commission

The Committee recommended appointment of Joyce Puopolo to an unexpired term ending December 31, 2005.

13. Traffic Appeals Commission

The Committee recommended appointment of Richard Daulton to a term ending June 30, 2007 and deferred one appointment to next week's Rules Committee meeting.

G. Rules Committee Reviews, Recommendations and Approvals

(Rules Committee heard Item G at the beginning of the meeting.)

1. A retrospective report from the citizen committees that participated in the Police and Fire Chiefs' recruitments (City Manager)

Documents Filed: None.

Discussion/Action: The Committee deferred this item to next week's Rules Committee meeting.

2. Written report from City Manager including a schedule of community meetings for the Public Art Process at the San Jose Mineta International Airport (City Manager)

Documents Filed: None.

Discussion/Action: The Committee deferred this item to next week's Rules Committee meeting.

3. Request to defer the issue of "Concurrent Sale of Gasoline, Food, Groceries and Alcohol" for an additional 60 days to August 2004 (City Manager)

Documents Filed: Memorandum from Stephen Haase, Director of Planning, Building and Code Enforcement, dated May 14, 2004 requesting a 60-day deferral of the issue entitled, "Concurrent Sale of Gasoline, Food, Groceries and Alcohol."

Discussion/Action: The Committee recommended approval to defer the issue entitled, "Concurrent Sale of Gasoline, Food, Groceries and Alcohol" for 60 days, bringing the item before the City Council in August 2004.

Member Chavez left the meeting at 2:38 p.m.

H. Oral Communications

None were presented.

I. Adjournment

The meeting adjourned at 2:45 P.M.

Dave Cortese, Chair Pro Tempore
Rules/Agency Rules Committee

1. Arts Commission
Appoint 1 commissioner
(Continued from 5/26/04)
2. Library Commission
Appoint 1 commissioner
(Continued from 5/26/04)
3. Traffic Appeals Commission
Appoint 1 commissioner
(Continued from 5/26/04)

G. Rules Committee Reviews, Recommendations and Approvals

1. City Manager's report on Building Capacity to Maintain a Strong Leadership Team for the City of San Jose (City Manager)
(Deferred from 5/26/04)
2. Written report from City Manager including a schedule of community meetings for the Public Art Process at the San Jose Mineta International Airport (City Manager)
(Deferred from 5/26/04)